

Kristensen Weisberg, LLP  
12304 Santa Monica Blvd., Suite 100  
Los Angeles, California 90025

JOHN P. KRISTENSEN (SBN 224132)  
DAVID L. WEISBERG (SBN 211675)  
**KRISTENSEN WEISBERG, LLP**  
12304 Santa Monica Blvd., Suite 100  
Los Angeles, California 90025  
Telephone: 310-507-7924  
Fax: 310-507-7906  
*john@kristensenlaw.com*  
*david@kristensenlaw.com*

*Attorneys for Plaintiff and all others similarly  
situated*

**THE UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

KAREN ELAINE, on behalf of  
herself and all others similarly  
situated,

Plaintiff,

vs.

FIT AND FUN FITNESS  
TRANSFORMATION ACADEMY,  
LLC; and DOES 1 through 20,  
inclusive, and each of them,

Defendants.

Case No. 2:15-cv-07664-MWF-JC

**NOTICE OF VOLUNTARY  
DISMISSAL WITH PREJUDICE AS  
TO PLAINTIFF KAREN ELAINE  
ONLY**

**[Fed. R. Civ. Pro., Rule  
41(a)(1)(A)(i)]**

Assigned to Hon. Michael W.  
Fitzgerald

Complaint Filed: September 30, 2015

**NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE AS TO PLAINTIFF KAREN ELAINE  
ONLY**

Kristensen Weisberg, LLP  
 12304 Santa Monica Blvd., Suite 100  
 Los Angeles, California 90025

**TO THE HONORABLE COURT, ALL PARTIES, THEIR  
 ATTORNEYS OF RECORD AND ALL OTHER PARTIES:**

**PLEASE TAKE NOTICE** that, pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1)(A)(i), Plaintiff KAREN ELAINE dismisses her individual claims in this action **with prejudice**, and the putative class claims are dismissed without prejudice. This notice is being filed and served prior to Defendant FIT AND FUN FITNESS TRANSFORMATION ACADEMY, LLC (“Defendant” or “Fit and Fun Fitness”) filing an answer, motion for summary judgment or motion to dismiss. Although this case was filed as a class action, no class has been certified, and court approval of this voluntary dismissal is therefore not required under Rule 23(a) of the Federal Rules of Civil Procedure.

Dated: January 13, 2016

Respectfully submitted,

By: /s/ John P. Kristensen

John P. Kristensen (SBN 224132)

*john@kristensenlaw.com*

David L. Weisberg (SBN 211675)

*david@kristensenlaw.com*

**KRISTENSEN WEISBERG, LLP**

12304 Santa Monica Blvd., Suite 100

Los Angeles, California 90025

Telephone: (310) 507-7924

Fax: (310) 507-7906

Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is Kristensen Weisberg, LLP, 12304 Santa Monica Boulevard, Suite 100, Los Angeles, California 90025. The foregoing document was served via ECF in case number 2:15-cv-07664-MWF-JC entitled KAREN ELAINE, ON BEHALF OF HERSELF AND ALL OTHERS SIMILARLY SITUATED V. FIT AND FUN FITNESS TRANSFORMATION ACADEMY, LLC, ET AL.

The foregoing document was also served via regular US mail to:

Harrison M. Brown  
Blank Rome LLP  
2029 Century Park East, Floor 6  
Los Angeles, California 90067

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Los Angeles, California on January 13, 2016.

*/s/ Neil Ortlani*

\_\_\_\_\_  
Neil Ortlani